

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

OCT 31 2016

HARRY E. HAMILTON,  
Plaintiff

v.

MDL No. 2323  
12-md-2323 and 14-6353

BERT BELL/PETE ROZELLE  
NFL PLAYER RETIREMENT PLAN,  
RETIREMENT BOARD OF THE BERT  
BELL NFL RETIREMENT PLAN,  
BECKY SUE THOMPSON, ESQ.  
JOHN DOE, JANE DOE, ABC  
CORPORATION (FICTIOUS ENTITIES  
OR PERSONS TO BE DISCOVERED)

Defendants

**RECEIVED  
SCRANTON**

OCT 25 2016

Per

*gar*  
**DEPUTY CLERK**

**MOTION FOR TEMPORARY RESTRAINING ORDER**

AND NOW, Comes Harry E. Hamilton, Plaintiff appearing pro se, and in accordance  
with appropriate Rules of Civil Procedure files this motion averring as follows:

1. Hamilton has maintained this action for a number of reasons to include those  
appearing in the footnote to this paragraph.<sup>1</sup>

<sup>1</sup> Hamilton must highlight the race issue against the very entity that built its reputation and substantial purse strings while failing to employ an African American head coach during much of Hamilton's tenure, few Black African/Aboriginal American coordinators, and slightly after a time when there were few Black quarterbacks, slightly more Black middle linebackers, and even more Black safeties (considered leadership positions on the field and therefore not preferable for Black African/Aboriginal Americans). The race issue is and continues to be a part of our history and to ignore its existence is tantamount to being a contributor to what continues to wrangle our great nation. The NFL and other defendants cannot escape more should they be allowed to escape as the only hope for change is and continues to be through our courts. This filing is but one example in many as Hamilton has repeatedly gone before the local school board for his children and other children at a publicly broadcast school board meeting to push for education and policies that decry racial profiling. Hamilton has sought a meeting with the Pennsylvania State University President, in part, simply to discuss race and why it might be more difficult to obtain a meeting simply because I am a Black African/Aboriginal American male. Hamilton was forced to ask a police officer called to a local pool for his son (not because of some crime but because Hamilton's son had the audacity to want to know what rule had been broken), if Hamilton had not brought up the word "race" as a factor to consider when assessing the situation and Hamilton bowed his head and folded his arms, would conversation continue and Hamilton's son avoid being removed (Hamilton's son of darker complexion was asked out of the pool while the lighter son was never implicated other than to look up definitions for the word 'horseplay' and child's play' as his brother sought to obtain clarity on what rule was broken, i.e. a civil dispute as my son, a properly licensed and contracted occupant, was now outside the pool and simply discussing the matter when the police were called to the scene instantly changing the matter to something criminal in nature for reasons that are part of our nations wrangling. The local tax payers paid for no less than four police officers on July 11, 2016, the day of the pool visit. Recently, Hamilton learned multiple police cruisers and officers

2. Defendant NFL (retirement) has withheld funds purportedly to some statutory authority at a time when funds are minimal to low causing hardship for even a day when the money is withheld

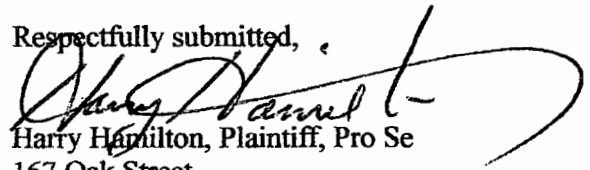
3. The funds should be released immediately pending the completion of any necessary and acceptable order that complies with their definition of mandate of a qualified domestic relations order.

4. The withholding of funds for even a day works a hardship for Hamilton and family. This hardship renders any authority to withhold the funds constitutionally infirm.

5. The withholding of funds has a disparate impact upon persons of color in that persons of color to include Hamilton have more than sufficient societal hurdles only to be saddled with the NFL withholding funds be it a standard practice appearing race neutral or be it a more targeted practice for particular purposes.

Wherefore Hamilton requests the immediate release of funds in addition to continuing to aid other defendants in depriving Hamilton's assets.

Respectfully submitted,



Harry Hamilton, Plaintiff, Pro Se  
167 Oak Street  
P.O. Box 1737  
Wilkes-Barre, PA 18702  
Cellular (973)-951-9091

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visited the home with no explanation forthcoming, i.e. because Hamilton wrote a letter to the local government agency, because of Hamilton visit to the Office of the President, something else about which Hamilton is unaware.

Black African/Aboriginal Americans face everyday obstacles and Hamilton is no exception. Hamilton once indicated to a tax law professor that the tax code seemingly neutral has a disproportionate impact on Black America if for no other reason than a shorter life expectancy. Similarly, the instant litigation must take into account the pervasive nature of race discrimination in our society and the disparate impact the discrimination produces. Hence, when the NFL withholds money, in much the same way the NFL previously built its purse on discriminatory actions, the NFL should pay for the impact of decisions that are magnified by the same pervasive discrimination, in Hamilton's humble opinion. Hamilton has spent his life internalizing the prevalence of race discrimination and the NFL knows that.